

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

Plaintiff,

v.

KIMBERLY J. MUELLER, et al.,

Defendants.

No. 2:23-cv-01233-DAD-KJN (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
MOTION FOR A TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION

(Doc. Nos. 11, 12)

Plaintiff Billy Driver, Jr. is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 7, 2023, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion for a temporary restraining order and preliminary injunction (Doc. No. 11) be denied. (Doc. No. 12.) Those pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 4–5.) To date, no objections to the pending findings and recommendations have been filed, and the time in which to do so has now passed.

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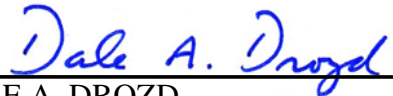
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
3 findings and recommendations are supported by the record and by proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on August 7, 2023 (Doc. No. 12) are
6 adopted in full;
- 7 2. Plaintiff's motion for a temporary restraining order and preliminary injunction
8 (Doc. No. 11) is denied; and
- 9 3. This matter is referred back to the assigned magistrate judge for further
10 proceedings.

11 IT IS SO ORDERED.

12 Dated: **December 20, 2023**

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14 DALE A. DROZD
15 UNITED STATES DISTRICT JUDGE
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